

## REMARKS

Claims 2 - 16, 25 - 26, 30 - 31 and 38 - 44 remain active in this application. Claims 1, 17 - 24, 27 - 29 and 32 - 37 have previously been canceled. Claims 13 - 16 have been withdrawn from consideration as being non-elected, with traverse, in response to a requirement for restriction; in response to which a provisional election has been made above. No amendment is made in this paper and no new matter has been introduced into the application.

The Examiner has required restriction between the inventions, as now identified by the Examiner, of Group I, claims 2 - 12, 25, 26, 30, 31 and 38 - 44, and Group II, claims 13 - 16. In response, a provisional election has been made above of the invention of Group I, with traverse. This traverse is, however, limited to pointing out that, as evidently recognized by the Examiner, there is no basis in view of claims which have been examined during the prosecution of this application for holding that there has been a constructive election of claims 13 - 16 and the Examiner has, quite properly, not sought to do so in connection with the present requirement for restriction. In other words, since the Examiner has not asserted that the invention of Group I is properly restrictable from the invention defined in claims also previously examined and now canceled, there is no basis for holding that a constructive election contrary to the above provisional election has occurred based on the examination of claims 13 - 16, together with other claims now replaced. Accordingly, it is respectfully submitted that the above provisional election is fully responsive to the present requirement for restriction. It was confirmed in a telephone interview with Examiner Ghassem Alie and Supervisory Primary Examiner Allan Shoap on September 6, 2005, that the above provisional

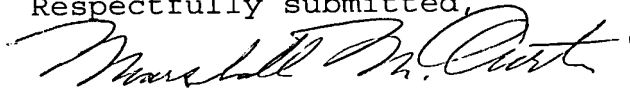
election would be considered responsive and that constructive election of Group II would not be held to have occurred.

Claims 13 - 16, which were amended subsequent to a decision by the Board of Appeals, as noted in the response filed June 16, 2005, have been retained in the application until a divisional application is filed, should Applicants decide to do so. However, authorization will be given to cancel claims 13 - 16 by Examiner's Amendment upon request by the Examiner. Early and favorable action on claims 2 - 12, 24 - 25, 30 - 31 and 38 - 44 is now respectfully requested.

Since all requirements contained in the outstanding official action have been fully answered, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b). Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested. The Examiner is requested to contact the undersigned by telephone at the number given below in order to expeditiously resolve any issue which the Examiner may note.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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